

Members

Rep. Robert Kuzman, Chair
Rep. Dale Sturtz
Rep. Ralph Ayres
Rep. Kathy Richardson
Sen. Richard Bray
Sen. David Ford
Sen. William Alexa
Sen. Timothy Lanane
Timothy Curley
Ernest Yelton
David Lewis



COMMISSION ON COURTS

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 233-0696 Fax: (317) 232-2554

LSA Staff:

Mark Goodpaster, Fiscal Analyst for the
Commission
Andrew Roesener, Attorney for the Commission

Authority: IC 33-1-15

MEETING MINUTES¹

Meeting Date: August 14, 2001
Meeting Time: 9:00 A.M.
Meeting Place: State House, 200 W. Washington St.,
156-A
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Rep. Kathy Richardson; Sen. Richard Bray; Sen. David Ford; Sen. Timothy Lanane; Ernest Yelton; David Lewis.

Members Absent: Rep. Robert Kuzman, Chair; Rep. Dale Sturtz; Rep. Ralph Ayres; Sen. William Alexa; Timothy Curley.

Senator Bray, acting as chair for Rep. Kuzman, called the meeting to order at 9:15 a.m.

After introducing the Commission members, Senator Bray reviewed the charges of the Commission, the Commission's budget, and the additional request from the Legislative Council.

Concerning the creation of new courts, the Commission members discussed whether certain provisions of SB 298-2001 should be revived and included in this year's recommendations with no additional hearings or testimony during this interim. SB 298-2001 proposed the creation of two new courts for Howard and DeKalb Counties and a new magistrate position in LaPorte County. It also would have required the state to pay the full salary of 17 full-time juvenile magistrates. Juvenile court magistrates are paid partly from state funds but primarily from county funds. SB 298-2001 was referred to the House Ways and Means Committee but did not receive a hearing.

The Commission members discussed the whether testimony from representatives of DeKalb, Howard, and LaPorte Counties and testimony supporting the state payment of juvenile court

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magistrates' salaries was needed. They indicated that in the past, the Commission often included recommendations from the previous interim that had not become law in the recommendations in the current interim report with no new testimony. They asked whether Rep. Kuzman wished to continue this practice.

The Commission members then discussed the issue of whether indigent persons have the right to pauper counsel in civil actions. This will be the main topic at the next Commission meeting. They examined SB 104-2001 and HB 1071-2001 which addressed this issue during the previous session. Senator Bray requested that the staff attorney compile a complete list of statutes which require courts to appoint legal counsel for indigent persons in civil proceedings.

Finally, Commission member David Lewis discussed the possibility of converting two city or town courts in Clark County to courts of record.

The meeting adjourned at 10:10 a.m.